

MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING OF BRAZEAU COUNTY, HELD IN THE COUNTY ADMINISTRATION BUILDING, COUNCIL CHAMBERS, IN BRAZEAU COUNTY, ALBERTA ON TUESDAY, SEPTEMBER 29, 2020.

IN ATTENDANCE Anthony Heinrich, Chairperson
Heidi Swan, Member
Marc Gressler, Member
Shari MacPherson, Member-at-Large
Jocelyn Whaley, Manager, Planning & Development
Chandra Dyck, Senior Planner
Jenna Durkee, Recording Secretary

ABSENT Lori Clark, Member-at-Large

PUBLIC ATTENDANCE Donald Herman
Robert David and Cassandra Christine Faunt
Dawnco Developments Inc.
Kumar Homes Ltd.

CALL TO ORDER A. Heinrich, Municipal Planning Commission Chairperson, called the meeting to order at 1:00 p.m.

ADOPTION OF THE AGENDA Administration requested to reverse the presentation order of the subdivision and development applications for DAWNCO developments.

071/20-09-29 Moved by H.Swan to adopt the Agenda as amended.
CARRIED UNANIMOUSLY

ADOPTION OF THE MINUTES

072/20-09-29 Moved by S. MacPherson to approve the minutes of the September 8, 2020 Municipal Planning Commission Meeting as amended.
CARRIED UNANIMOUSLY

BUSINESS ARISING

073/20-09-29 Moved by M. Gressler to accept the 2020 Municipal Planning Commission Meeting Schedule as presented.

CARRIED UNANIMOUSLY

DEVELOPMENT PERMIT APPLICATIONS

PROPOSAL: Accessory Structure – Shop 2720 ft² (253 m²) with Floor Area Variance

LEGAL DESC.: NW 3-49-6-W5M

OWNER: Donald and Marjorie Herman

FILE: 20D-057

M. Martindale, Development Officer, presented the above application with a recommendation to be approved subject to the conditions listed in Appendix H of the report.

Commission Members had the following comments or questions:

- A question regarding the variance to the floor area and if it affected the property line.

Administrative responses to questions or comments from the Commission members.

- The floor area variance does not affect the property line.

The applicant provided the following comment:

- The floor area variance was requested as it matches the floor area of the shop that came down and is being rebuilt.

074/20-09-29 Moved by H. Swan to approve the development application 20D-057 with the conditions as presented.

1. Approval is granted based on the information provided by the applicant/landowner for the approved development only and no other development.
2. The approved development shall be located as shown on the site plan provided by the applicant/landowner and identified as Schedule 'A' attached hereto.

3. A variance is granted to the maximum floor area of the approved development from 2508 ft² (233 m²) to 2720 ft² (253 m²).
4. The approved development shall not be used as a dwelling unit.
5. The exterior finish of the approved development shall match or complement the exterior of the principal building.
6. The exterior of the approved development shall be finished to a reasonable standard that is consistent and compatible with neighbouring developments and shall not be unsightly or untidy.
7. The applicant/landowner shall contain drainage within the lot and not allow runoff water to drain onto neighbouring properties. Runoff shall be directed to a Brazeau County Right of Way or drainage course approved for this purpose and shall not cause flooding of nearby ditches in excess of their capabilities.
8. The applicant/landowner shall not alter or otherwise impact drainage and/or slope without approval from Brazeau County.
9. The applicant/landowner shall ensure the development is not located within or over a Right of Way or Easement, and shall not construct or erect any structures or improvements, including fences, within or over a Right of Way or Easement registered on the title.
10. The approved development shall not form part of or be used in conjunction with a business or home occupation unless the appropriate Development Permit has been obtained from Brazeau County.
11. The applicant/landowner shall ensure all construction materials are contained on the site and debris is disposed of accordingly.
12. No further development, expansion, or change in use is permitted unless approved by Brazeau County.

CARRIED UNANIMOUSLY

PROPOSAL: New Manufactured Home 1200 ft² (111.5 m²) with Addition 78 ft² (7.2 m²) – Second Residence, and As-sited Accessory Structures – Detached Garage 884 ft² (82 m²) and Shed 192 ft² (18 m²)

LEGAL DESC.: Lot 1 Block 1 Plan 992 4605 within SE 4-50-8-W5M

OWNER: Robert David and Cassandra Christine Faunt

FILE: 20D-059

M. Martindale, Development Officer, presented the above application with a recommendation to be approved subject to the conditions listed in Appendix H of the report.

Commission Members had the following comments or questions:

- Why is there a need for the Alberta Transportation permit and how difficult it is to obtain?
- How is the applicant accessing this? Is it from the original driveway?
- Can administration assist applicants with their Alberta Transportation permit if it is online?

Administration provided the following responses to commission member questions and comments:

- The parcel is less than 300 metres from the highway and it is our practice to refer to Alberta Transportation for development permit applications.
- Access will be from the original driveway.

075/20-09-29

Moved by H. Swan to approve the development application 20D-059 with the conditions as presented.

1. Approval is granted based on the information provided by the applicant/landowner for the approved development only and no other development.
2. The approved development shall be located as shown on the site plan provided by the applicant/landowner and identified as Schedule 'A' attached hereto.
3. Prior to commencement of development, the applicant/landowner shall obtain a Roadside Development Permit from Alberta Transportation for development in proximity to a highway.
4. The applicant/landowner shall ensure the second residence has a rural address assigned by Brazeau County by completing and returning the Rural



Address Application Form to the Brazeau County Office. A rural address shall be assigned and displayed prior to occupancy of the approved development.

5. The second residence shall be finished in accordance with the Brazeau County Land Use Bylaw. Specifically, the approved development shall be skirted from the floor level to the ground level and finished to a reasonable standard that is consistent and compatible with neighbouring developments and shall not be unsightly or untidy.
6. The as-sited accessory structures shall not be used as dwelling units.
7. The exterior finish of the approved development shall match or complement the exterior of the principal building.
8. The exterior of the approved development shall be finished to a reasonable standard that is consistent and compatible with neighbouring developments and shall not be unsightly or untidy.
9. The applicant/landowner shall contain drainage within the lot and not allow runoff water to drain onto neighbouring properties. Runoff shall be directed to a Brazeau County Right of Way or drainage course approved for this purpose and shall not cause flooding of nearby ditches in excess of their capabilities.
10. The applicant/landowner shall not alter or otherwise impact drainage and/or slope without approval from Brazeau County.
11. The applicant/landowner shall ensure the development is not located within or over a Right of Way or Easement, and shall not construct or erect any structures or improvements, including fences, within or over a Right of Way or Easement registered on the title.
12. The approved development shall not form part of or be used in conjunction with a business or home occupation unless the appropriate Development Permit has been obtained from Brazeau County.
13. The applicant/landowner shall ensure all construction materials are contained on the site and debris is disposed of accordingly.
14. No further development, expansion, or change in use is permitted unless approved by Brazeau County.

CARRIED UNANIMOUSLY

PROPOSAL: To subdivide to create two (2) lots of ± 733.8 m²



and ±434.3 m2 with a variance to the minimum parcel size of Proposed Lot 24 from the required 464.5 m2 for residential use (semi-detached dwellings)

LEGAL DESC.: Lot 22 Block 5 Plan 152 1649 within NW 10-49-7-W5M

OWNER: Dawnco Developments Inc.

APPLICANT: Kumar Homes Ltd.

FILE: 20S-011

C. Dyck, Senior Planner, presented the above application with a recommendation to be approved subject to the conditions listed in Appendix H of the report.

Commission Members had the following comments or questions:

- Questioned condition #5, wondering what the party wall agreement was?

Administration provided the following responses to commission member questions and comments:

- Explained the party wall agreement provided protections for both parties on what is technically shared or “common” property.

076/20-09-29

Moved by M. Gressler to approve the subdivision application 20S-011 with the conditions as presented.

1. Pursuant to Section 657 of the Municipal Government Act, the applicant/owner shall submit to Brazeau County (in digital and paper format), a plan of survey suitable for registration with the Alberta Land Titles Office. Should road widening be required, the proposed parcel boundaries shall be located after the road widening has been accounted for. The size of the subdivided parcel(s) shall be as per the approved Tentative Plan. Please note that descriptive plans specific to roads will not be accepted.
2. The applicant/owner shall pay to Brazeau County any applicable water and wastewater connection fees for proposed Lot 23 as per the Brazeau County Schedule of Fees in effect at the time of endorsement.
3. The applicant/owner shall construct water and wastewater services connection at the property line of the proposed Lot 23 to ensure separate services for each parcel, as per detailed design drawings to be provided to and approved by the Brazeau County Public Works and Infrastructure Department and the Town of Drayton Valley Engineering Department.

4. Pursuant to Section 654(1)(a) of the *Municipal Government Act*, the applicant/owner, having obtained a setback relaxation from Town of Drayton Valley Utility Right of Way Easement, shall register that Agreement against the title of the proposed Lot 23 by Caveat. Brazeau County will prepare the required Caveat documents according to the Brazeau County Schedule of Fees in effect at the time of endorsement, and provide same to the applicant/owner's agent for registration concurrently with the Subdivision Authority Approval.
5. The applicant/owners shall provide an executed Party Wall Agreement to Brazeau County which shall ensure that the registered owners of both properties are responsible for maintaining the structural integrity of the wall, even if the wall is entirely on the property of one of the parties. The Party Wall Agreement shall be registered against the titles of the proposed Lots 23 and 24. Brazeau County will prepare the required registration documents according to the Brazeau County Schedule of Fees in effect at the time of endorsement, and provide same to the applicant/owner's agent for registration concurrently with the Subdivision Authority Approval.
6. The applicant/owner shall pay a final subdivision endorsement fee, according to the Brazeau County Schedule of Fees in effect at the time of endorsement.
7. Pursuant to Section 654(1) of the *Municipal Government Act* the applicant/owner shall pay all taxes owing to Brazeau County, up to and including the year in which subdivision is to be registered, prior to Brazeau County signing the final subdivision approval documents.

CARRIED UNANIMOUSLY

PROPOSAL: Semi-Detached Dwellings (2 Units) 153.5 m2 each with Attached Garages 45 m2 each and Covered Porches – 5.9 m2 (West Unit) and 4.99 m2 (East Unit) with Variance of Rear Yard Setback

LEGAL DESC.: Lot 22 Block 5 Plan 152 1649 within NW 10-49-7-W5M

OWNER: Dawnco Developments Inc.

FILE: 20D-056

C. Dyck, Senior Planner, presented the above application with a recommendation to be approved subject to the conditions listed in Appendix H of the report.

Commission Members had the following comments or questions:

- Is the water drainage swail located anywhere near the decks?
- Is the green line crossing over an existing residence?

Administration provided the following responses to commission member questions and comments:

- Explained the drainage would not effect the deck.
- Explained the green line over the residence is just a mapping error.

076/20-09-29

Moved by S. MacPherson to approve the development application 20D-056 with the conditions as presented.

1. Approval is granted based on the information provided by the applicant/landowner for the approved development only and no other development.
2. The approved development shall be located as shown on the site plan provided by the applicant/landowner and identified as Schedule 'A' attached hereto.
3. A variance to the rear yard setback from 7.6 m (25 ft) to 4.83 m (15.8 ft) is granted from the approved development to the rear (south) property line.
4. Pursuant to Section 654(1)(a) of the *Municipal Government Act*, the applicant/owner, having obtained a setback relaxation from Town of Drayton Valley Utility Right of Way Easement, shall register that Agreement against the title of the proposed Lot 23 by Restrictive Covenant **prior to occupancy** of the approved development.
5. The applicant/landowner shall ensure the approved development has a rural address assigned by Brazeau County by completing and returning the Rural Address Application Form to the Brazeau County Office. A rural address shall be assigned and displayed **prior to occupancy** of the approved development.
6. The applicant/landowner shall complete and submit a Fire Safety Plan to Drayton Valley/Brazeau County Fire Services for review and approval. Approval of the Fire Safety Plan must be obtained, and a copy delivered to Brazeau County prior to commencement of construction, alteration or demolition operations that occur in existing buildings, parts of buildings, facilities, adjacent buildings or facilities, and associated areas as required by section 5.6 of the Alberta Fire Code.
7. Any damage that occurs to the curb and gutter during construction of the approved development must be repaired by the applicant/landowner at his/her sole expense, to the satisfaction of Brazeau County.



8. The applicant/landowner shall be responsible for all expenses associated with the tie-in of their connections with the municipal services. The applicant/landowner shall bear the full cost and full responsibility of repairs to municipal roads (including re-paving) if required.
9. **Prior to connection to municipal services**, the applicant/landowner shall contact the Town of Drayton Valley Engineer at 780-514-2200.
10. The water and service tie-ins to the Town of Drayton Valley's water and sewer mains shall be inspected and approved by the Town of Drayton Valley. The applicant/landowner shall contact the Town of Drayton Valley Engineer at 780- 514-2200.
11. **Within twenty-one (21) days of issuance** of this Development Permit, The applicant/owner shall pay to Brazeau County any applicable water and wastewater connection fees as per the Brazeau County Schedule of Fees.
12. The grassing and landscaping of the property to the curb, sidewalk, or roadway shall be the responsibility of the applicant/landowner.
13. Landscaping within the property shall not impede sight triangles of intersections of roads and approaches.
14. The exterior of the approved development shall be finished to a reasonable standard that is consistent and compatible with neighbouring developments and shall not be unsightly or untidy.
15. The applicant/landowner shall ensure the post-development surface drainage rate does not exceed the pre-development surface drainage rate.
16. The applicant/landowner shall contain drainage within the lot and not allow runoff water to drain onto neighbouring properties. Runoff shall be directed to a Brazeau County Right of Way or drainage course approved for this purpose and shall not cause flooding of nearby ditches in excess of their capabilities.
17. The applicant/landowner shall not alter or otherwise impact drainage and/or slope without approval from Brazeau County.
18. The applicant/landowner shall ensure the development is not located within or over a Right of Way or Easement, and shall not construct or erect any structures or improvements, including fences, within or over a Right of Way or Easement registered on the title.

A.H.

19. The approved development shall not form part of or be used in conjunction with a business or home occupation unless the appropriate Development Permit has been obtained from Brazeau County.

20. The applicant/landowner shall ensure all construction materials are contained on the site and debris is disposed of accordingly.

21. No further development, expansion, or change in use is permitted unless approved by Brazeau County.

CARRIED UNANIMOUSLY

**SUBDIVISION &
DEVELOPMENT APPEAL
BOARD DECISIONS**

No appeals

**ADMINISTRATIVE
MATTERS**

None

ROUND TABLE

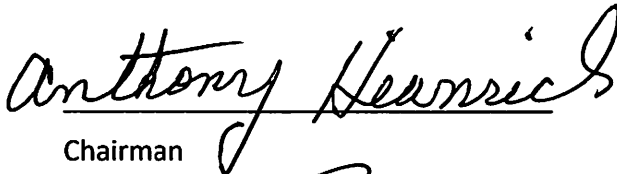
Nothing to report

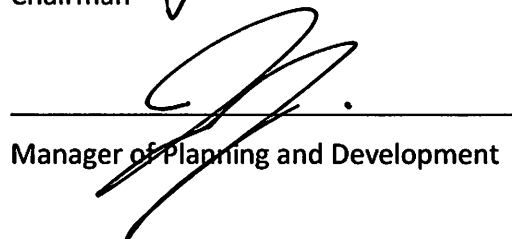
ADJOURNMENT:

078/20-09-29

Moved by M. Gressler that the Municipal Planning Commission meeting of September 29, 2020 adjourn at 1:25 P.M.

CARRIED UNANIMOUSLY


Chairman


Manager of Planning and Development